

VILLAGE OF ALMONT

ORDINANCE NO. 192 FIREWORKS ORDINANCE

An ordinance regulating the ignition, discharge, and use of consumer fireworks, as allowed under the Michigan Fireworks Safety Act, MCL 28.451 et seq., as amended, in order to secure the overall health, safety, and welfare of the Village.

THE VILLAGE OF ALMONT ORDAINS:

Section 1. Purpose

The purpose of this ordinance is to prohibit the ignition, discharge, and use of consumer fireworks in order to secure the overall health, safety, and welfare of the Village.

Section 2. Title

This ordinance shall be known as the "Village of Almont Consumer Fireworks Ordinance."

Section 3. Definitions The terms used within this ordinance shall have the following meanings:

- (1) "Act 256" means the Michigan Fireworks Safety Act, Act 256 of the Public Acts of Michigan of 2011, being MCL 28.451, et seq., as it may be amended from time to time.
- (2) "Consumer fireworks" means that term as defined in Act 256.
- (3) "Firework" or "fireworks" means that term as defined in Act 256.
- (4) "Retailer" means that term as defined in Act 256.
- (5) "Wholesaler" means that term as defined in Act 256.

Section 4. Compliance with Applicable Ordinances and Codes

A retailer or wholesaler of fireworks located within the Village must comply with the requirements of the Village's Zoning Ordinance, as well as all building codes and regulations.

Section 5. Regulations upon the Use of Consumer Fireworks

No person shall ignite, discharge or use consumer fireworks in the Village; except this prohibition shall not preclude any person from igniting, discharging or using consumer

fireworks within the Village on the day preceding, the day of, or the day after a national holiday, consistent with Act 256.

Section 6. Firework Safety

No person shall recklessly endanger the life, health, safety, or well-being of any person by the ignition, discharge, or use of consumer fireworks.

Section 7. Violations, Fines and Penalties

Any person violating this ordinance shall be responsible for a civil infraction, punishable as provided in the Almont Village Civil Infraction Ordinance, being Ordinance No. 163.

Section 8. Severability

The various parts, sentences, paragraphs, sections, and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause of this ordinance is declared to be unconstitutional or invalid by a court or administrative agency of competent jurisdiction, the remainder of the ordinance shall remain intact.

Section 9. Repeal of Conflicting Ordinances

All ordinances in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

Section 10. Effective Date

This ordinance shall become effective upon its date of publication.

The undersigned President and Clerk of the Village of Almont hereby certify that this Ordinance was adopted at a Regular Meeting of the Almont Village Council held on September 2, 2014 and was published in the *Tri-City Times* on September 10, 2014.

Kimberly Keesler
Village Clerk

Steve Schneider
Village President